

LOT 18A ZONING ORDINANCE SPECIAL EXCEPTION

PROPOSAL

225 Bucheimer Road, LLC has developed Lot 18A in the Twin Arch Industrial Park Section Four. The use on Lot 18A in the base operations for J & J Trash Service. Since the initiation of operations from Lot 18A, the cost of fuel has steadily risen such that it is cost prohibitive to the business operations and control of operating expenses. J & J Trash Service proposes the installation of an above ground 10,000-gallon fuel tank for trash truck fuel. The fueling station will consist of the following:

1. One 10,000-gallon above ground fuel tank. The underground tank is a jacketed double wall storage tank. In addition, the bottom of the tank is seal-welded and coated with a highly corrosion resistant epoxy.
2. One above ground fuel dispenser.
3. One above ground card reader.
4. One above ground Diesel Exhaust Fluid (DEF) Tank. The DEF tank is filled with a mixture of 67.5% water and 32.5% urea. Urea is a compound of Nitrogen that turns to ammonia when heated. Urea is synthetically made byproduct of urine. The DEF tank fluid is used in diesel engines to control the diesel exhaust into the environment. Urea is not a harmful and overly toxic chemical.
5. Concrete pad for fuel system operations.
6. Canopy for the fuel system.
7. Concrete filled bollards around the Underground Fueling Station.

The above items for the underground fuel system meet the containment requirements of the Town Code.

The Variance requested therefore is to install an above ground fuel tank/fueling system on Lot 18A.

§ ORDINANCE 112-62 F(2). Special Exceptions.

(2) Bulk storage of oil, petroleum, gasoline and similar flammable liquid and compressed gases. In an I District and subject to the requirements of that district except as herein provided:

- (a) Total storage not to exceed 200,000 gallons.
- (b) Each container shall be set back from the nearest line of adjoining property as follows:

Water Capacity of Container (gallons)	Underground Storage (Feet)	Aboveground Storage
2001 to 30,000	50 feet	50 feet, plus 1 inch per each foot of height of the container

- (c) Storage of liquids above ground shall be restricted by dikes sufficient in size to contain the amount of liquid stored.

The underground fuel station is more than 50 feet from the adjoining property lines. In addition, the above ground fuel tank is a double walled tank meeting the requirements of UL-2085. The tank is labeled Fireguard and is thermally insulated. As a double wall tank, it meets the industry requirements to contain any amount of liquid stored by puncture or leakage of the tank.

General and Specific standards for special exception uses.

- (a) That proposed use, including its nature, intensity, and location, is in harmony with the intent of the Town Master Plan and the orderly and appropriate development of the district.*

Lot 18A is located along Back Acre Circle in the Industrial Zoned Twin Arch Business Park. The proposed use by J & J Trash Service is consistent with the allowable used within an existing zoned Industrial District. The Site Plan for Lot 18A was approved by the Town.

- (b) That adequate water supply, sewage disposal, storm drainage and fire and police protection are or can be provided for the use.*

Adequate water supply, sewage disposal and storm drainage were provided with the construction of Back Acre Circle. In addition, utility improvements were part of the lot development. Police and fire protection are provided using the existing constructed Back Acre Circle and Town roadways.

- (c) That the use of adjacent land and buildings will not be discouraged, and the value of adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences.*

The bulk fuel storage meets the required setback from the lot lines, is above ground, and is located in the rear of the proposed site development. The use of adjacent land and buildings will not be discouraged, and the value of adjacent land and building will not be impaired by the location of the bulk fuel storage.

- (d) That the use will have proper location with respect to existing or future streets giving access to it and will not create traffic congestion or cause industrial or commercial traffic to use residential streets.*

Back Acre Circle is a loop roadway within the Twin Arch Industrial Park. The location of the bulk fuel tanks will not impact the existing street and there are no future streets planned within the Twin Arch Industrial Park. The lot/development is located on Back Acre Circle, and It will not create traffic congestion or cause industrial or commercial traffic to use residential streets.

(e) That the specific standards (§112-62F) set forth for each particular use for which a special exception may be granted have been met except in the case of nonconforming structures where the Board determines that no adverse impact will result.

(2) Bulk storage of oil, petroleum, gasoline and similar flammable liquid and compressed gases. In an I District and subject to the requirements of that district except as listed in Ordinance §112 F(2).

The bulk fuel storage tank will a 10,000-gallon above ground fuel tank. Located more than 50-ft from the side lot lines and rear property line, the bulk storage of diesel and gasoline meets the Underground Storage setback requirements as listed in Ordinance §112 F(2).